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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,940	12/10/2003	David M. Callaghan	03AB118A/ALBRP331USA	6914
7590	09/03/2008		EXAMINER	
Susan M. Donahue Rockwell Automation 704-P, IP Department 1201 South 2nd Street Milwaukee, WI 53204			TERMANINI, SAMIR	
			ART UNIT	PAPER NUMBER
			2178	
			MAIL DATE	DELIVERY MODE
			09/03/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/731,940	Applicant(s) CALLAGHAN ET AL.
	Examiner Samir Termanini	Art Unit 2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 17 October 2007.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-33 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-33 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 10 December 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-166/08)
Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____

5) Notice of Informal Patent Application

6) Other: _____

DETAILED ACTION

BACKGROUND

1. This action is responsive to the following communications: Application filed on 12/10/2003.
2. Claims 1-33 are pending in this case. Claims 1, 13, 24, 28, and 32 are in independent form. Claims 1, 8, 13, and 24-32 have been amended.
3. The information disclosure statement (IDS) filed on 10/29/2004 has previously been acknowledged and considered by the examiner.

RESPONSE TO AMENDMENT

4. Arguments concerning the Examiner's Rejections of claims 25-27 and 29-31 under 35 U.S.C. §101 in the previous Office Action (Mail dated: 3/20/2007) have been fully considered and are persuasive. Therefore, the rejection(s) have been withdrawn.
5. Arguments concerning the Examiner's Rejections of claims 2 Claims 16-28, 30, and 42-43 under 35 U.S.C. §101 in the previous Office Action (Mail dated: 3/20/2007) have been fully considered but are not persuasive. Therefore, the rejection(s) have been maintained.

6. Arguments concerning the Examiner's Objection/Rejections of claims Enter Claim Number under 35 U.S.C. §Click to Fill in the previous Office Action (Mail

dated:) have been fully considered Right-Click persuasive. Therefore, the rejection(s) Right-Click.

7. Arguments concerning the Examiner's Objection/Rejections of claims Enter Claim Number under 35 U.S.C. §Click to Fill in the previous Office Action (Mail dated:) have been fully considered Right-Click persuasive. Therefore, the rejection(s) Right-Click.

8. Applicant's Right-Click (filed on) introduces subject matter from Applicant's Specification that was previously unclaimed to all of the independent claims. Likewise, the scope of all pending claims has changed and upon further search and consideration, new grounds of rejection are made under 35 U.S.C. 102(b), addressed in detail below.

CLAIM REJECTIONS-35 U.S.C. §101

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. §101 that form the basis for the rejections under this section made in this Office action:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

10. **Claims 16-28, 30, and 42-43** are rejected under 35 U.S.C. §101. Although the word "system" appears in the preamble, the claims actually appear to be directed to software that is not embodied on a computer-readable medium. Accordingly, the claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 U.S.C. §101. They are clearly not a series of steps or acts, to

be a process, nor are they a combination of chemical compounds to be a composition of matter.

CLAIM REJECTIONS-35 U.S.C. § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. **Claims 1-5, and 7-33** are rejected under 35 U.S.C. 102(e) as being anticipated by *Chapman et al.* (US 2004/0021679 A1).

As to independent **claim 1**, *Chapman et al.* describe(s): A system that provides remote visualization of a device's faceplate ("...utilizing a large number of faceplates displayed at any one time...." para. [0626]), comprising: an interface component that retrieves a stream of SVG information that includes data representative of the device's physical faceplate ("...rendering engine--include Scalable Vector Graphics (SVG) from the W3C..." para. [0220]); representative of the device's physical faceplate, the stream of SVG information:

The first case requires that there be an implementation of IPersistStreamInit that saves and loads the entire data source state to and from a stream provided by the data source manager. Performance is of paramount importance in this case so data sources should use a stream

format that allows them to load as quickly as possible. This format often contains additional information derived during data source validation in order to facilitate speedy loading.

(para. [0694])(emphasis added) is retrieved from storage associated with the device:

In addition to providing a global repository of data, in which stored variables and data references remain persistent across page changes, the data source connector also provides local storage to display pages.

(para. [0534])(emphasis added); and a display component that executes the stream of SVG information to render an interactive graphical representation of the device's faceplate within a remote viewing window

This initialisation [sic] service allows the data source manager to pass a stream containing a data source definition to the data source. This data source definition contains the information necessary for a data source to construct and initialize [sic] its data reference object model.

(para. [0299]).

As to dependent **claim 2**, which depends from claim 1, *Chapman et al.* further disclose(s): The system of claim 1, the stream of SVG information comprises a finite set of data embedded within an XML markup language-based file ("...engine uses a series of binding definitions supplied from the HTML/XML display file that defines how to map data from data reference object models to the display page...." para. [0375]).

As to dependent **claim 3**, which depends from claim 1, *Chapman et al.* further disclose(s): The system of claim 1, the stream of SVG information is obtained in real-time from the device ("...for the provision of real-time process data to a state-of-the-art user interface. That is, the preferred embodiments make use of synergies that are

possible from the interaction between the operator framework and the rendering engine....," para. [0056]).

As to dependent **claim 4**, which depends from claim 1, *Chapman et al.* further disclose(s): The system of claim 1, the interface is a Web browser ("...web browser environment is able to display the same pages as those shown in, say, FIG. 2, with live data updates...." para. [0169]).

As to dependent **claim 5**, which depends from claim 1, *Chapman et al.* further disclose(s): The system of claim 1, the graphical representation is rendered within one of a Web browser and an open software package ("...flexibility extends all the way to the web browser environment. In a Hendrix-based system, the web browser environment is able to display the same pages as those shown in, say, FIG. 2, with live data updates. The preferred embodiments thus deliver the ability to view process data in a web browser....," para. [0169]).

As to dependent **claim 7**, which depends from claim 1, *Chapman et al.* further disclose(s): The system of claim 1, the graphical representation provides for viewing ("...viewing...." para. [0856]), recording ("...methods when storing faceplate preferences...." para. [0641]), and effecting device operation ("...which will cause it to query all open faceplates for their position information...." para. [0640]).

As to dependent **claim 8**, which depends from claim 1, *Chapman et al.* further disclose(s): The system of claim 1, the graphical representation depicts is dynamically updated to reflect a current state of the device's physical faceplate ("...the

page is updated with data from the Hendrix data binding engine upon which the HTML rendering engine re-renders the display page so that the user sees the changes to the page ..." para. [0267]).

As to dependent **claim 9**, which depends from claim 1, *Chapman et al.* further disclose(s): The system of claim 1, the graphical representation comprises a state a status ("...status information....," para. [0243]).

As to dependent **claim 10**, which depends from claim 1, *Chapman et al.* further disclose(s): The system of claim 1, the graphical representation further depicts a chart and a graph to monitor device performance ("...chart....," para. [0993]).

As to dependent **claim 11**, which depends from claim 1, *Chapman et al.* further disclose(s): The system of claim 1, the graphical representation can be stored for future analysis ("...is formed when display page elements are contained within a HENDRIX....," para. [ENCAPSULATION element and is stored in a separate file. The following example the encapsulation of a span tag that displays LCN.A100.PV and is stored in the file SimplePaceplate.htm 19]).

As to dependent **claim 12**, which depends from claim 1, *Chapman et al.* further disclose(s):The system of claim 1 is employed in an industrial environment ("...frequently used in industrial settings....," para. [0003]).

As to independent **claim 13**, *Chapman et al.* describe(s): A system embodied on a computer-readable storage medium that provides access to a device from a remote Web interface ("...web browser environment ...," para. [0142]), comprising: a

data conveying component that is utilized to stream device-related data ("...allows the data source manager to pass a stream containing a data source ...," para. [0299]); an interface component that couples the data conveying component to a device residing on a network ("...the data source manager for the lifetime of the data source manager and provides an opportunity for a data source implementation to share resources such as network connections between data sources (concurrently and serially)...," para. [0669]); and a network browser that retrieves a stream of data from the device and generates a graphical depiction of the device based on the information within the stream of data ("...source manager to pass a stream containing a data source definition to the data source...," para. [0299]), the graphical depiction provides a user with access to the device ("...a single property that represents the value ...," para. [0315]).

As to dependent **claim 14**, which depends from claim 13, *Chapman et al.* further disclose(s): The system of claim 13, the stream of data is based on a Scalable Vector Graphics XML markup language ("...engine uses a series of binding definitions supplied from the HTML/XML display file that defines how to map data from data reference object models to the display page...," para. [0375]).

As to dependent **claim 15**, which depends from claim 13, *Chapman et al.* further disclose(s): The system of claim 13, the stream of data is stored local to the device or the network ("...Allows the user to store values in a local repository...," para. [0511]).

As to dependent **claim 16**, which depends from claim 13, *Chapman et al.* further disclose(s): The system of claim 13 further comprises a firewall that provides

secure communication between the network browser and the device ("...The data source manager provides an execution environment for data sources that includes a number of services that they require in order to provide efficient, secure access to data...." para. [0664]).

As to dependent **claim 17**, which depends from claim 13, *Chapman et al.* further disclose(s): The system of claim 13 is employed in an industrial environment ("...used in many industrial domains...." para. [0467]).

As to dependent **claim 18**, which depends from claim 13, *Chapman et al.* further disclose(s): The system of claim 13, the graphical depiction comprises a virtual representation of a physical faceplate associated with the device ("...in environment faceplate custom faceplate frame window....," para. [0490]).

As to dependent **claim 19**, which depends from claim 18, *Chapman et al.* further disclose(s): The system of claim 18, the virtual representation of the physical faceplate comprises a status ("...status information...." para. [0243]).

As to dependent **claim 20**, which depends from claim 13, *Chapman et al.* further disclose(s): The system of claim 13, the graphical depiction displays device performance information in a chart ("...This type of behaviour is probably most appropriate for large, complex controls with numerous font selection properties, such as a chart...." para. [0993]).

As to dependent **claim 21**, which depends from claim 13, *Chapman et al.* further disclose(s): The system of claim 13, the graphical depiction is utilized to

effectuate device operation ("...visualisation of blast furnace arrays and the displaying of hot spots in the furnace in 3D....," para. [0195]).

As to dependent **claim 22**, which depends from claim 13, *Chapman et al.* further disclose(s): The system of claim 13 further comprises intelligence comprising a statistic a probability an inference and a classifier to facilitate at least one of locating the file executing the file and interacting with the device via the graphical depiction ("...Once a property's quality value is set, it is up to the control/behaviour As to how it represents that quality indication visually....," para. [0932]).

As to dependent **claim 23**, which depends from claim 22, *Chapman et al.* further disclose(s): The system of claim 22, the graphical depiction is dynamically updated to reflect a current state of the device's physical faceplate (with live data updates....," para. [0169]).

As to independent **claim 24**, *Chapman et al.* describe(s): A method embodied on a computer-readable storage medium to interact with a device through a remote interface comprising: creating a file that represents at least one aspect of the device ("...components are informed of the data requirements for a particular display page by means of a data source definition," para. [0042]); storing the file with the device ("stored as part of an HTML/XML display page file....," para. [0042]); employing a remote interface to access the file ("...a data source definition that is stored as part of an HTML/XML display page file....," para. [0042]); and utilizing the file to generate a graphical representation of the at least one aspect of the device within the remote interface ("...XML tags in the display page file that define the details of what data is

required by the display page and how to apply that data to the display page....," para. [0268]).

As to dependent **claim 25**, which depends from claim 24, *Chapman et al.* further disclose(s): The method of claim 24, the file is based on a Scalable Vector Graphics (SVG) XML markup language ("...XML tags in the display page file that define the details of what data is required by the display page and how to apply that data to the display page....," para. [0268]).

As to dependent **claim 26**, which depends from claim 25, *Chapman et al.* further disclose(s): The method of claim 25 further comprises employing ASCII drawings commands to execute the instructions embedded within the SVG XML file to draw the graphical representation ("...commands between the data source components and the display page elements. FIG. 12," para. [0245]).

As to dependent **claim 27**, which depends from claim 24, *Chapman et al.* further disclose(s): The method of claim 24 further comprises employing an open software package to display the graphical representation ("...software applications provided by the provider of the system....," para. [0206]).

As to independent **claim 28**, *Chapman et al.* describe(s): A method that renders device-related graphics from streamed SVG information within a Web-based interface ("...web browser environment," para. [0142]), comprising: establishing a connection with a network associated with a device ("...allows the data source manager to pass a stream containing a data source," para. [0299]); retrieving a stream of SVG

information associated with the device ("...Scalable Vector Graphics (SVG)....," para. [0220]); and executing the stream of SVG information within the remote interface to draw a dynamically updated interactive graphic of the device ("...Once a property's quality value is set, it is up to the control/behaviour as to how it represents that quality indication visually....," para. [0982]).

As to dependent **claim 29**, which depends from claim 28, *Chapman et al.* further disclose(s): The method of claim 28 further comprises generating an SVG file with information related to a physical faceplate of the device ("...utilizing a large number of faceplates displayed at any one time....," para. [0626]).

As to dependent **claim 30**, which depends from claim 28, *Chapman et al.* further disclose(s): The method of claim 28 further comprises employing intelligence to facilitate at least one of locating the SVG information ("...locating the file within that search path....," para. [0805]), executing the SVG information and interacting with the device via the interactive graphic ("...display begins executing....," para. [0493]).

As to independent **claim 13**, *Chapman et al.* describe(s): A method that provides access to a device from a remote Web interface ("...web browser environment" para. [0142]), comprising: a data conveying component that is utilized to stream device-related data and an interface component that couples the data conveying component to a device residing on a network ("...the data source manager for the lifetimne of the data source manager and provides an opportunity for a data source implementation to share resources such as network connections between data sources (concurrently and serially)....," para. [0669]); and a network browser that retrieves a

stream of data from the device and generates a graphical depiction of the device based on the information within the stream of data ("...source manager to pass a stream containing a data source definition to the data source....," para. [0299]), the graphical depiction provides a user with access to the device ("...a single property that represents the value," para. [0315]).

As to dependent **claim 31**, which depends from claim 30, *Chapman et al.* further disclose(s): The method of claim 30, the intelligence is based on an inference and a classifier ("...The data delivery properties include properties that control the transmission of data from the server system such as update rates or information that helps to completely identify a data item in cases where a name from a server system namespace is not sufficient....," para. [0317]).

As to independent **claim 32**, *Chapman et al.* describe(s): A system that provides Web-based visualization of a device comprising: means for retrieving a file with device-related information, the file is retrieved from a computer-readable storage medium associated with the device; ("...The data reference's ID might be ParamRef1 and the associated namespace name would be "34FC1234.PV". FIG. 16 illustrates a data source with several data references....," para. [0319]); means for invoking the file within a Web-based browser ("...web browser environment....," para. [0149]); and means for graphically viewing the device related information ("...display page by means of a data source definition....," para. [0042]).

As to dependent **claim 33**, which depends from claim 19, *Chapman et al.* further disclose(s): The system of claim 19 further comprises means for effectuating the operation of the device via a graphical display ("...direct user input....," para. [0362]).

CLAIM REJECTIONS-35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Chapman et al.* (US 2004/0021679 A1) in view of *Lindstrom-Tamer* (US 20020124076 A1).

As to dependent **claim 6**, all the claim's limitations are taught or suggested by the prior art. *Chapman et al.* teach that the graphical representation is rendered within one of a Web browser and an open software package ("...flexibility extends all the way to the web browser environment. In a Hendrix-based system, the web browser environment is able to display the same pages as those shown in, say, FIG. 2, with live data updates. The preferred embodiments thus deliver the ability to view process data in a web browser....," para. [0169]). *Chapman et al.* do not expressly disclose that the open software package is an Adobe plug-in. However, the differences in claim 6 over *Chapman et al.* were suggested in *Lindstrom-Tamer* i.e. that the open software package is an Adobe plug-in ("support of Adobe SVG plug-in as used by Internet Explorer" para.

[0032]). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have used the Adobe SVG plug-in as taught in Lindstrom-Tamer as the open software package with the browser *Chapman et al.* because: (1) Lindstrom-Tamer is in the same field of endeavor of "...displaying pages containing SVG content..." (para. [0010]); (2) Lindstrom-Tamer expressly suggests the desirability, and thus the obviousness, of making the combination ("Therefore, there remains a need in the art for a manner in which one could easily detect whether a client browser supports SVG output such that SVG information could be automatically transmitted or omitted depending upon whether a particular user's browser supports SVG," para. [0009]); and (3) one of ordinary skill in the art, when confronted with the same problems as the inventor and with no knowledge of the claimed invention, would have had reasonable expectation of success in the combination of the elements from the cited references in the manner claimed because the prior art suggests the desirability for exactly the type same combination ("One of the main requirements of the architecture of the preferred embodiments is its support for third-party controls....As a result, most third-party controls integrate smoothly into the Hendrix architecture...." para. [0901], *Chapman et al.*).

RESPONSE TO ARGUMENTS

13. Applicant arguments, see pp. 8 filed , with respect to the 35 U.S.C. §102(e) Rejections cited by the Examiner in the previous Office Action, have been fully considered but are not persuasive. Therefore, the rejection(s) have been maintained..

I. Applicant's arguments (see Remarks) emphasize:

Chapman, et al. does not disclose that SVG information used to render a graphical representation of a device is *stored with and retrieved from the device* being represented.

The Examiner respectfully disagrees for at least the following reasons:

Applicant argues that SVG information is stored with and retrieved from the device being represented. However, this limitation does not appear anywhere in, *inter alia*, claim 1. Claim 1 only requires retrieval from a *storage associated with the device*. Not from the device directly.

Chapman et al. disclose an associated storage device:

In addition to providing a global repository of data, in which stored variables and data references remain persistent across page changes, the data source connector also provides local storage to display pages.

(para. [0534])(emphasis added).

II. Applicant's arguments (see Remarks) further aver:

[T]he cited reference nowhere discloses rendering interactive graphical representations on an Adobe plug-in. The referenced section of Lindstrom-Tamer merely discloses that an Adobe SVG plug-in for Internet Explorer exists, but does not disclose using this component to render an interactive graphical representation of a device.

The Examiner respectfully submits that It is well settled that a prior art reference, in its entirety, must be considered for all that it expressly teaches and fairly

suggests to one having ordinary skill in the art.¹ Therefore, the referenced section of Lindstrom-Tamer does not need to disclose using the component to render an interactive graphical representation of said device because Lindstrom-Tamer, by its combined teaching, fairly suggests to one having ordinary skill in the art that an Adobe SVG plug-in for Internet Explorer being used to render an interactive graphical representation of said device.

It is further noted, "Factors that may be considered in determining level of ordinary skill in the art include (1) the educational level of the inventor; (2) type of problems encountered in the art; (3) prior art solutions to those problems; (4) rapidity with which innovations are made; (5) sophistication of the technology; and (6) educational level of active workers in the field." *Environmental Designs, Ltd. v. Union Oil Co.*, 713 F.2d 693, 696, 218 USPQ 865, 868 (Fed. Cir. 1983), cert. denied, 464 U.S. 1043 (1984).

CONCLUSION

14. Although not relied upon, the following prior art is made of record because it considered pertinent to applicant's disclosure:

Allen; Bruce S. et al.	US 4570217 A	Man machine interface Video interface architecture for programmable
Crater; Kenneth C. et al.	US 5982362 A	industrial control systems Architecture for dynamically monitoring computer
Knight, Christine N. et al.	US 20040083453 A1	application data
Rittie; Kevin J. et al.	US 5917730 A	Computer implemented object oriented visualization

¹ *Upsher-Smith Labs. v. Pamlab, LLC*, 412 F.3d 1319, 1323, 75 USPQ2d 1213, 1215 (Fed. Cir. 2005); *In re Fritch*, 972 F.2d 1260, 1264, 23 USPQ2d 1780, 1782 (Fed. Cir. 1992); *Merck & Co. v. Biocraft Labs., Inc.*, 874 F.2d 804, 807, 10 USPQ2d 1843, 1846 (Fed. Cir. 1989); *In re Fracalossi*, 681 F.2d 792, 794 n.1, 215 USPQ 569, 570 n.1 (CCPA 1982); *In re Lamberti*, 545 F.2d 747, 750, 192 USPQ 278, 280 (CCPA 1976); *In re Bozek*, 416 F.2d 1385, 1390, 163 USPQ 545, 549 (CCPA 1969).

Sanborn; Frank G. et al.	US 6999101 B1	system and method System and method for providing vector editing of bitmap images Operator station for manufacturing process control system
van Weele; Leonardus A. et al.	US 5631825 A	

15. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Samir Termanini whose telephone number is (571) 270-1047. The Examiner can normally be reached from 9 A.M. to 4 P.M., Monday through Friday (excluding alternating Fridays).

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, *see* <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Samir Termanini/
Examiner, Art Unit 2178

/Stephen S. Hong/
Supervisory Patent Examiner, Art Unit
2178